



CITY COUNCIL

CITY AND COUNTY OF HONOLULU
HONOLULU, HAWAII 96813-3077

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JOEY MANAHAN
TREVOR OZAWA
KYMBERLY MARCOS PINE

JOURNAL

REGULAR MEETING
20TH SESSION
WEDNESDAY, JANUARY 27, 2016

CITY COUNCIL CHAMBER
3RD FLOOR, HONOLULU HALE
HONOLULU, HAWAII 96813

Note: A copy of the video of the full proceedings of this meeting may be requested by calling the City Clerk's Office at 768-5822.

CALL TO ORDER

Pursuant to adjournment, the regular meeting of the City Council was called to order by the Chair and Presiding Officer, Ernest Y. Martin, at 10:34 a.m.

ROLL CALL

Roll call showed the following Councilmembers present:

Councilmembers Anderson, Elefante, Fukunaga, Kobayashi, Manahan, Menor, Ozawa, Pine, Martin - 9.

INTRODUCTION OF GUESTS

Faculty and Students from Shenzhen Number Three Senior High School, China

Councilmember Menor welcomed and introduced the following students and faculty from Shenzhen, the Number Three Senior High School in China: Wang Wanyan, Pu Qin, Shao Qinwei, Zhai Fangzheng, Huang Zitao, Yuan Yutong, Chen Junze, Chen Hao, Sun Xianzheng, Hao Dinding, Zhang Huaili (teacher), Thomas Tang and Rod Tam, former State Senator and City Councilmember. As participants of the Honolulu City Council Internship Program, the students are learning about the government, culture and economic development in Hawaii.

MOMENT OF SILENCE

12 Fallen Marines

Councilmember Anderson commended the twelve Marines from Kaneohe Marine Corps Base-Hawaii who lost their lives in a helicopter crash last week for their selfless dedication and service to our country.

State Senator Gilbert Kahele

Councilmember Anderson commended the late Gilbert Kahele of Hilo for his selfless dedication and service to our state.

APPROVAL OF MINUTES

Councilmember Anderson moved that the Minutes of the 18th Session (December 2, 2015) and 19th Session (January 12, 2016) be approved, subject to corrections by Councilmembers within 30 days. Seconded by Councilmember Menor.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

ORDER OF THE DAY

PUBLIC HEARING/RESOLUTIONS

RESOLUTION 16-14

RESOLUTION RELATING TO THE APPOINTMENT OF MAX S.Y. HANNEMANN TO SERVE ON THE FIRE COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Mr. Hannemann expressed his willingness to serve on the Fire Commission and looks forward to working with the Council and the Administration.

The following individuals testified:

1. Fire Chief Manuel Neves (support)
2. Arvid Youngquist (support)

Chair Martin referred Resolution 16-14 to the Committee on Public Health, Safety and Welfare for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

MM-2 Mayor Kirk Caldwell

PUBLIC HEARING/RESOLUTIONS
RESOLUTION 16-15

RESOLUTION RELATING TO THE REAPPOINTMENT OF AVELINO J. HALAGAO, JR., TO SERVE ON THE GRANTS IN AID ADVISORY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Mr. Halagao thanked the Council for the opportunity to serve on the Grants in Aid Advisory Commission since its inception three years ago. He expressed his willingness to continue to serve.

The following individual testified:

Arvid Youngquist (support)

Chair Martin referred Resolution 16-15 to the Committee on Budget for further consideration.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

MM-3 Mayor Kirk Caldwell

PUBLIC HEARING/SECOND READING
BILL 78 (2015) – COMMITTEE REPORT 12

A BILL FOR AN ORDINANCE RELATING TO SPONSORSHIPS.

Councilmember Kobayashi moved that Committee Report 12 be adopted and Bill 78 (2015) pass second reading. Seconded by Councilmember Manahan.

The following individual testified:

Arvid Youngquist (support)

Committee Report 12 was adopted and Bill 78 (2015) passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

PUBLIC HEARING/SECOND READING
BILL 80 (2015) – COMMITTEE REPORT 18

A BILL FOR AN ORDINANCE RELATING TO THE DISPOSAL OF GREEN WASTE.

Councilmember Fukunaga moved that Committee Report 18 be adopted and Bill 80 (2015) pass second reading. Seconded by Councilmember Anderson.

The following individual testified:

Arvid Youngquist (support)

Committee Report 18 was adopted and Bill 80 (2015) passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

PUBLIC HEARING/SECOND READING

BILL 81 (2015), CD1 – COMMITTEE REPORT 19

A BILL FOR AN ORDINANCE RELATING TO PRIVATE STREETS AND ROADS.

Councilmember Fukunaga moved that Committee Report 19 be adopted and Bill 81 (2015) pass second reading, as amended to CD1. Seconded by Councilmember Anderson.

The following individual testified:

Arvid Youngquist (comments)

Committee Report 19 was adopted and Bill 81 (2015), CD1 passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

PUBLIC HEARING/SECOND READING

BILL 83 (2015) – COMMITTEE REPORT 25

A BILL FOR AN ORDINANCE RELATING TO THE INSPECTION OF MOTOR VEHICLES AND MOPEDS.

Councilmember Manahan moved that Committee Report 25 be adopted and Bill 83 (2015) pass second reading. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Larry S. Veray (M-121) (support)
2. Barbra Armentrout (comments)
3. Dennis Egge (comments)
4. Arvid Youngquist (comments)

Councilmember Manahan deemed that the noise complaints are becoming a quality of life issue for many communities and urged the members to support the measure. He indicated that the State Legislature would also take up the issue.

Committee Report 25 was adopted and Bill 83 (2015) passed second reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

RECESS/RECONVENE

At 10:55 a.m., the Chair called for a short recess and reconvened the meeting at 10:56 a.m.

At this juncture, with no objections from the 9 members present, the Chair considered Resolution 16-4, CD1 from page 16 of the agenda.

ADOPTION

RESOLUTION 16-4, CD1 – COMMITTEE REPORT 14

RESOLUTION RELATING TO THE APPOINTMENT OF CLAIRE KIMI MIKAMI YUEN TO SERVE ON THE SALARY COMMISSION OF THE CITY AND COUNTY OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 14 and Resolution 16-4, CD1 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Councilmember Ozawa described Ms. Yuen as a pillar of her community, a great person with an impeccable record of character and diligence in serving her community.

Committee Report 14 and Resolution 16-4, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Chair Martin recognized and congratulated Ms. Yuen on her appointment.

The Council Chair returned to the agenda order on page 6.

THIRD READING

BILL 23 (2015), CD2, FD1 – COMMITTEE REPORT 10

A BILL FOR AN ORDINANCE RELATING TO THE TRANSPORTATION SURCHARGE.

The following amendments were posted on the agenda:

Bill 23 (2015), CD2, Proposed FD1 (Submitted by Councilmember Pine) (OCS2016-0084/1/21/2016 2:09 PM) (Note: This version was not considered.)

Bill 23 (2015), CD2, Proposed FD1 (Submitted by Council Chair Martin) (OCS2016-0079/1/20/2016 3:47 PM)

Councilmember Manahan moved that Committee Report 10 be adopted and Bill 23 (2015), CD1 pass third reading, as amended to CD2. Seconded by Councilmember Anderson.

Councilmember Pine stated her satisfaction that the concerns raised in the Budget Committee were addressed and included in the Chair's amendment; therefore, she withdrew her FD1 amendment.

RECESS/RECONVENE

At 10:59 a.m., the Chair called for a short recess and reconvened the meeting at 11:00 a.m.

Councilmember Manahan explained that the Chair's proposed Floor Draft amends the Bill as follows:

- A. Changes the existing subsection 6-60.2(a) to require that the surcharge moneys will be a general fund realization. The current language states that the surcharge moneys shall be deposited in the general fund.
- B. Requires that the expenditure of surcharge moneys levied from January 1, 2007 to December 31, 2022 (SECTIONS 2 and 3 of the bill) and from January 1, 2007 to December 31, 2027 (SECTION 4 of the bill) be limited to a maximum amount of \$4.815 billion and may be expended only on the minimum operable segment and associated debt financing costs. Notwithstanding these restrictions, any surcharge moneys collected in excess of the \$4.815 billion may be expended in the following order of priority:

- (1) Contingency and other reserves as recommended by the Federal Transit Administration and as detailed in the Updated Final Financial Plan for the Full Funding Grant Agreement;
 - (2) ADA accessibility improvements to the minimum operable segment of the locally preferred alternative for the mass transit project;
 - (3) Planning and design costs for route expansion; and
 - (4) Infrastructure improvements to rail station areas to support affordable housing, as permitted by State and Federal law, provided that these additional surcharge expenditures may be expended only after the Honolulu Authority for Rapid Transportation provides for Council review an update on the expenditures to date on the mass transit project and the anticipated use and amount of the additional surcharge expenditures above the \$4.815 billion limit.
- C. Requires that the Honolulu Authority for Rapid Transportation submit to Council, no later than January 1, 2017, any and all costs associated with: 1) contingency and other reserves as recommended by the Federal Transit Administration and as detailed in the Updated Final Financial Plan for the Full Funding Grant Agreement; 2) ADA accessibility improvements to the minimum operable segment of the locally preferred alternative for the mass transit project; 3) planning and design costs for route expansion; and 4) infrastructure improvements to rail station areas to support affordable housing, as permitted by State and Federal law.
- D. Requires that no surcharge moneys may be expended for any purpose if the expenditure of such moneys will result in the project ending cash balance falling below the amount set forth in the Updated Final Financial Plan for the Full Funding Grant Agreement.
- E. Requires that prior to and as a prerequisite for any transfer of moneys received from the surcharge, the Honolulu Authority for Rapid Transportation shall submit to the council a quarterly updated cash balance summary that contains all revenues and expenditures, including both capital expenditures and operating and maintenance expenditures.
- F. In SECTION 2 and SECTION 3 of the Bill, adds a new subsection (j) to clarify that “capital costs” means the same as defined in HRS Section 46-16.8, as it may be amended, for a county with a population greater than 500,000.

- G. In SECTION 4 of the Bill, revises the definition of "capital costs" to track the language of, rather than refer to, HRS Section 46-16.8, because that section of the HRS is scheduled to be repealed in 2027.
- H. Makes miscellaneous technical and non-substantive changes.

The following individuals testified:

- 1. Bob Nakata, Faith Action for Community Equity (FACE) (M-123) (supports FD1 with reservations)
- 2. Frank Genadio (M-124) (oppose)
- 3. Catherine Graham, FACE and Housing Now! Coalition (M-127) (comments)
- 4. Arvid Youngquist (comments)
- 5. Jack De Feo (comments)
- 6. Wally Inglis, Housing Now (M-151) (support)
- 7. Pilipo Souza, Coalition of Hawaiian Nationals/FREEHAWAII (M-152) (opposed to Bill 23 but not mass transit)
- 8. John Brizdle (M-153) (oppose)
- 9. Elaine Kam (M-128, M-130, M-167) (oppose)
- 10. Barbara Hudman (M-128, M-129) (oppose)
- 11. Roy Nakamura (M-128) (oppose)
- 12. Richard DeConti (M-128) (oppose)
- 13. Michael Uechi (M-128, M-131, M-168) (oppose)
- 14. James K. Manaku, Sr. (comments)
- 15. David Grove (support)
- 16. Dennis Egge (comments)
- 17. Renee Leotele Togafau Mata'utia, FACE (support)
- 18. Dr. Kioni Dudley, Friends of Makakilo, Inc. (comments)
- 19. Natalie Iwasa (M-175) (oppose)
- 20. Shannon Alivado, General Contractors Association of Hawaii (M-154) (support)

Councilmember Kobayashi moved that the Bill be amended to FD1. Seconded by Councilmember Manahan.

Bill 23 (2015), CD2 was amended to FD1 (OCS2016-0079/1/20/2016 3:47 PM).

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.
NOES: None.

Councilmembers Elefante (CC-130, CC-131, CC-132, CC-133, CC-134, and CC-330) and Menor (CC-329) noted for the record that they filed Disclosure of Interest Statements with the City Clerk's Office.

Councilmember Elefante recognized that the requirements in the Floor Draft amendment were significant enough to ensure that the Honolulu Authority for Rapid Transportation (HART) receives the full funding for the project and noted that by passing the measure, it would provide more transportation equity, affordable housing options, infrastructure improvements, enhancements and revitalization along the rail line for future generations to come.

In response to councilmembers, Executive Director and CEO Daniel Grabauskas, HART, stated that:

- The Chair's FD1 amendment was shared with the Federal Transit Administration (FTA) and they did not have any objections with the language and indicated that it was a positive step toward the next phase in the process.
- HART will recommend to their Board of Directors that the measure accomplishes their needs and the FTA concurs.
- The costs associated with the security operations and the electricity for all the stations have been included in HART's proposed operating budget. As requested, the items will be highlighted during the Budget presentations.

After hearing the responses from Executive Director Grabauskas, Councilmember Elefante spoke in support of the measure and asked for the members support in moving it forward.

Councilmember Menor spoke in support of the measure because it would provide essential funding for the rail transit; future generations would appreciate the benefits for years to come; and as an elected official, he is obligated to be responsive to the views of his constituents on important issues.

Councilmember Pine expressed how proud she was to vote in support of the measure because building the rail is the right choice for Oahu and it would greatly improve the quality of life for many people in her district.

Councilmember Kobayashi maintained her opposition to the measure. She felt that the monies should be used to build affordable housing instead of the rail.

Councilmember Anderson spoke of his opposition to any form of a revenue cap and therefore, would be voting in opposition to the measure.

Councilmember Manahan thanked the Chair for his openness and willingness to work collaboratively with HART Chair Don Horner in crafting language that was acceptable for all parties involved. He asked for the members support on the FD1 amendment.

Councilmember Ozawa spoke in support of the FD1 amendment because it is a much better choice than losing City services and increasing property taxes.

Chair Martin commended Budget Chair Kobayashi for her fairness, diligence and leadership on Bill 23, irrespective of her own personal opinions. He acknowledged that the FTA is satisfied with the FD1 amendment and will move toward the next step in the process of reviewing the updated financial plan. Once the plan is submitted and approved by the FTA, the \$250 million would be forthcoming with an additional \$250 million that has already been appropriated for Fiscal Year 2016.

Committee Report 10 was adopted and Bill 23 (2015), CD2, FD1 passed third reading.

AYES: ELEFANTE, FUKUNAGA, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 7.

NOES: ANDERSON, KOBAYASHI – 2.

Related communications:

D-30	Daniel A. Grabauskas, Honolulu Authority for Rapid Transportation
M-115	Paride Monti
M-116	Garry P. Smith
M-117	Paulette Tam
M-122	Ryan M. Akamine
M-125	Mary Smart
M-126	Tom Berg
M-132	FACE (Faith Action for Community Equity)
M-133	Jonathan Ching
M-138	George Massengale, Hawaii Habitat for Humanity
M-139	David Gierlach, Housing Now!
M-140	Ivy Yeung
M-141	Pano D. Prevedouros
M-142	Brooke Wilson, he Pacific Resource Partnership
M-143	Stanley Chang
M-144	Ellen Jackson

M-155	Rita Kama-Kimura
M-156	Cedric Duarte
M-157	Gladys Marrone, Building Industry Association of Hawaii (BIA-Hawaii)
M-158	Katherine Kupukaa, Self/Mililani Conservatives for Change
M-159	Donald R. Koelper
M-160	Michael Golojuch, Jr.

RECOMMITTAL TO COMMITTEE ON BUDGET
BILL 77 (2015), CD1 – COMMITTEE REPORT 11

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX EXEMPTIONS FOR HOMES.

Councilmember Kobayashi moved that Committee Report 11 and Bill 77 (2015), CD1 be recommitted to the Committee on Budget. Seconded by Councilmember Manahan.

The following individual testified:

Arvid Youngquist (comments)

Councilmember Pine (CC-312) noted for the record that she filed a Disclosure of Interest Statement with the City Clerk's Office.

Committee Report 11 and Bill 77 (2015), CD1 were recommitted to the Committee on Budget.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

THIRD READING
BILL 59 (2015), CD1 – COMMITTEE REPORT 24

A BILL FOR AN ORDINANCE RELATING TO COMPLETE STREETS.

Councilmember Manahan moved that Committee Report 24 be adopted and Bill 59 (2015) pass third reading, as amended to CD1. Seconded by Councilmember Kobayashi.

The following individuals testified:

1. Arvid Youngquist (comments)
2. Annie Koh (support)

Committee Report 24 was adopted and Bill 59 (2015), CD1 passed third reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-134 Kevin Butterbaugh, Kailua Urban Design Task Force
M-135 Lea Hong, The Trust for Public Land
M-145 Daniel Alexander & Chad Taniguchi, Hawaii Bicycling League (M-145)

RECESS/RECONVENE

At 12:36 p.m., the Chair called for a short recess and reconvened the meeting at 12:37 p.m.

At this juncture, with no objections from the 9 members present, the Chair considered Resolution 15-321 from page 16 of the agenda.

ADOPTION

RESOLUTION 15-321 – COMMITTEE REPORT 13

RESOLUTION SELECTING MEMBERS FOR THE CDBG AND HOME PROJECTS SELECTION COMMITTEE.

The following amendment was posted on the agenda:

Resolution 15-321, Proposed FD1 (Submitted by Chair Martin) (OCS2016-0087/1/21/2016 3:55PM)

Councilmember Kobayashi moved that Committee Report 13 and Resolution 15-321 be adopted. Seconded by Councilmember Manahan.

Councilmember Kobayashi moved that the Resolution be amended to FD1. Seconded by Councilmember Manahan. The amendment adds Mr. Robert Agres, Jr., Ms. Jennifer Lim, and Dr. Tin Myaing Thein to be named as the Council appointees for the Committee; adds Alana Kobayashi Pakkala as the member of the Committee jointly selected by the Council and the Mayor; and makes non-substantive technical amendments.

The following individual testified:

Arvid Youngquist (supports Dr. Tin Myaing Thein's appointment)

Chair Martin acknowledged that all the appointees are very well-qualified to undertake the challenging assignments ahead.

Resolution 15-321 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Committee Report 13 and Resolution 15-321, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

CC-13 Joey Manahan

RECESS/RECONVENE

At 12:40 p.m., the Chair called for a recess as noted on the agenda. With 9 members present, the Chair reconvened the meeting at 1:39 p.m.

FIRST READING

BILL 85 (2015)

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO TAXICABS.

Councilmember Anderson moved that Bill 85 (2015) pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Howard Higa, TheCab (Support)
2. Ryan Matsumoto, TheCab (Support)
3. Tabatha Chow, Uber (Oppose)
4. Barbra Armentrout (Support)
5. Debbie Buono, TheCab (Support)
6. Arvid Youngquist (General comment)
7. Dorothy Raquilman, TheCab (Support)

In response to Councilmember Pine, Ms. Raquilman stated that Uber drivers should be required to follow taxicab rules and regulations established by the City Council in order to level the playing field for all drivers.

8. Vincent Kwon, Uber (Support)

Bill 85 (2015) passed first reading.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA, KOBAYASHI, MANAHAN,
MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

*Councilmember Elefante voted aye with reservations.

Related communication:

M-136 Dale Krupa

FIRST READING

BILL 1

(Public Works, Infrastructure and Sustainability)

A BILL FOR AN ORDINANCE RELATING TO ROADWAYS WHOSE OWNERSHIP IS IN DISPUTE BETWEEN THE STATE AND THE CITY AND COUNTY OF HONOLULU.

Councilmember Anderson moved that Bill 1 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Arvid Youngquist (General comment)

Bill 1 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 2

(Budget)

A BILL FOR AN ORDINANCE RELATING TO REAL PROPERTY TAX RELIEF FOR PROPERTIES USED FOR LOW-INCOME RENTAL HOUSING.

Councilmember Anderson moved that Bill 2 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Natalie Iwasa (Support)
2. James K. Manaku, Sr. (General comment)

Bill 2 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 3

(Zoning and Planning)

A BILL FOR AN ORDINANCE TO AMEND CHAPTER 16 OF THE REVISED
ORDINANCES OF HONOLULU 1990, RELATING TO THE BUILDING CODE.

Councilmember Anderson moved that Bill 3 pass first reading. Seconded by
Councilmember Menor.

There was no public testimony.

Bill 3 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-146 Tyler Dos Santos-Tam, Hawaii Construction Alliance
M-161 Brooke Wilson, The Pacific Resource Partnership

FIRST READING

BILL 4

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO PARKING.

Councilmember Anderson moved that Bill 4 pass first reading. Seconded by
Councilmember Menor.

The following individual testified:

James K. Manaku, Sr. (General comment)

Bill 4 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

FIRST READING

BILL 5

(Zoning and Planning)

A BILL FOR AN ORDINANCE RELATING TO BED AND BREAKFAST HOMES.

Councilmember Anderson moved that Bill 5 pass first reading. Seconded by Councilmember Menor.

The following individual testified:

Arvid Youngquist (General comment)

Bill 5 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

FIRST READING

BILL 6

(Zoning and Planning)

A BILL FOR AN ORDINANCE RELATING TO NONCONFORMING USE CERTIFICATES.

Councilmember Anderson moved that Bill 6 pass first reading. Seconded by Councilmember Menor.

There was no public testimony.

Bill 6 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 7

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO TAXICABS.

Councilmember Anderson moved that Bill 7 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Howard Higa, TheCab (Support)
2. Arvid Youngquist (General comment)

Bill 7 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

FIRST READING

BILL 8

(Transportation)

A BILL FOR AN ORDINANCE RELATING TO COMPLETE STREETS.

Councilmember Anderson moved that Bill 8 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. Natalie Iwasa (General comment)
2. Arvid Youngquist (General comment)

Councilmember Elefante stated that he will express his concerns in Committee.

Councilmember Ozawa spoke in support of Bill 8 and noted that he looked forward to further discussion on the measure.

Councilmember Anderson thanked Councilmember Ozawa for introducing Bill 8 and demonstrating his willingness to compromise and look for middle ground.

Bill 8 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

M-147 Daniel Alexander & Chad Taniguchi, Hawaii Bicycling League

FIRST READING

BILL 9

(Parks, Community and Customer Services)

A BILL FOR AN ORDINANCE RELATING TO CULTURAL SITES.

Councilmember Anderson moved that Bill 9 pass first reading. Seconded by Councilmember Menor.

The following individuals testified:

1. James K. Manaku, Sr. (Support)
2. Arvid Youngquist (General comment)

Bill 9 passed first reading.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-162 Shirley Swinney
M-163 Mikiala M. Lidstone Kanekoa, Ulu A'e Learning Center

ADOPTION

RESOLUTION 15-316, CD1 – COMMITTEE REPORT 2

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY FROM DRONE SERVICES HAWAII FOR THE SUPPORT OF OCEAN SAFETY OPERATIONS.

Councilmember Menor moved that Committee Report 2 and Resolution 15-316, CD1 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 2 and Resolution 15-316, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.
NOES: None.

ADOPTION

RESOLUTION 15-324 – COMMITTEE REPORT 3

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT TO THE CITY AND COUNTY OF HONOLULU FROM CRIMESTOPPERS HONOLULU, INC.; FOR THE CRIMESTOPPERS BOARD MEETING IN ALBUQUERQUE, NEW MEXICO, FROM MARCH 3 THROUGH 6, 2016.

Councilmember Menor moved that Committee Report 3 and Resolution 15-324 be adopted. Seconded by Councilmember Elefante.

There was no public testimony.

Committee Report 3 and Resolution 15-324 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-1, CD1 – COMMITTEE REPORT 4

RESOLUTION REQUESTING THE CITY AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF HOW DOMESTIC VIOLENCE CASES ARE HANDLED, PROCESSED, AND RESOLVED BY THE CITY, INCLUDING THE ENFORCEMENT OF TEMPORARY RESTRAINING ORDERS.

Councilmember Menor moved that Committee Report 4 and Resolution 16-1, CD1 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (Support)

Committee Report 4 and Resolution 16-1, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-118	Representative Cynthia Thielen
M-137	Jeanne Y. Ohta, Women's Caucus Democratic Party of Hawai'i
M-148	Cathy Betts, Hawaii State Commission on the Status of Women
M-149	Michelle Rocca, Hawaii State Coalition Against Domestic Violence
M-164	Anonymous

ADOPTION

RESOLUTION 16-10, CD1 – COMMITTEE REPORT 5

RESOLUTION ENLISTING THE CITY AND COUNTY OF HONOLULU'S PARTICIPATION IN THE NATIONWIDE STEPPING UP INITIATIVE TO REDUCE THE NUMBER OF PEOPLE WITH MENTAL ILLNESS FROM BEING INCARCERATED.

Councilmember Menor moved that Committee Report 5 and Resolution 16-10, CD1 be adopted. Seconded by Councilmember Elefante.

The following individual testified:

Arvid Youngquist (Support)

Committee Report 5 and Resolution 16-10, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-320, CD1 – COMMITTEE REPORT 6

RESOLUTION RELATING TO THE ACCEPTANCE OF A GIFT FROM THE FRIENDS OF THE GANDHI STATUE IN WAIKIKI, LLC, TO THE CITY FOR THE ART IN CITY BUILDINGS COLLECTION OF THE CITY AND COUNTY OF HONOLULU MANAGED BY THE MAYOR'S OFFICE OF CULTURE AND THE ARTS.

Councilmember Pine moved that Committee Report 6 and Resolution 15-320, CD1 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 6 and Resolution 15-320, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-7, CD1 – COMMITTEE REPORT 8

RESOLUTION URGING THE CITY ADMINISTRATION TO INCLUDE FUNDS IN THE FISCAL YEAR 2016 – 2017 EXECUTIVE PROGRAM AND BUDGET TO RESTORE AND REVITALIZE THE MOHANDAS K. GANDHI STATUE AND ITS IMMEDIATE SURROUNDING AREA.

Councilmember Pine moved that Committee Report 8 and Resolution 16-7, CD1 be adopted. Seconded by Councilmember Menor.

There was no public testimony.

Committee Report 8 and Resolution 16-7, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-325, FD1 – COMMITTEE REPORT 7

RESOLUTION URGING THE CITY ADMINISTRATION TO BUILD CITY TEMPORARY HOUSING UNITS AND HYGIENE CENTERS IN REGIONS WHERE HOMELESS PERSONS RESIDE.

The following amendment was posted on the agenda:

Resolution 15-325, Proposed FD1

Councilmember Pine moved that Committee Report 7 and Resolution 15-325 be adopted. Seconded by Councilmember Menor.

Councilmember Manahan moved that the Resolution be amended to FD1. Seconded by Councilmember Pine. The amendment urges the City Administration to build temporary housing units, and wherever there are temporary encampments, to also include hygiene centers in close proximity.

The following individuals testified:

1. James K. Manaku, Sr. (General comment)
2. Arvid Youngquist (Support)

Resolution 15-325 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Committee Report 7 and Resolution 15-325, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 15-214 – COMMITTEE REPORT 9

RESOLUTION DECLARING THE COUNCIL'S INTENT TO CONSIDER ALL OPTIONS REGARDING THE PROVISION OF ELECTRIC SERVICE, INCLUDING THE INVESTIGATION OF ELECTRIC UTILITY PUBLIC OWNERSHIP ON THE ISLAND OF OAHU.

Councilmember Ozawa moved that Committee Report 9 and Resolution 15-214 be adopted. Seconded by Councilmember Anderson.

The following individuals testified:

1. James K. Manaku, Sr. (General comment)
2. David Grove (General comment)

Committee Report 9 and Resolution 15-214 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communications:

M-150 Kevin M. Katsura, Hawaiian Electric Company
M-165 Hermina M. Morita

ADOPTION

RESOLUTION 16-9 – COMMITTEE REPORT 15

RESOLUTION ACCEPTING A GIFT TO THE CITY AND COUNTY OF HONOLULU
FROM THE ASSOCIATION OF GOVERNMENT ACCOUNTANTS HAWAII CHAPTER
FOR TRAVEL EXPENSES TO WASHINGTON, D.C.

Councilmember Kobayashi moved that Committee Report 15 and Resolution 16-9 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 15 and Resolution 16-9 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
OZAWA, PINE, MARTIN – 9.
NOES: None.

(Note: Committee Report 13 and Resolution 15-321, FD1, were considered earlier in the meeting. See page 13.)

(Note: Committee Report 14 and Resolution 16-4, CD1, were considered earlier in the meeting. See page 6.)

ADOPTION

RESOLUTION 16-12, FD1 – COMMITTEE REPORT 16

RESOLUTION AUTHORIZING THE DIRECTOR OF THE DEPARTMENT OF COMMUNITY SERVICES OR THE DIRECTOR'S DESIGNEE TO APPLY FOR AND, IF APPROVED, ACCEPT AND EXPEND FUNDS FROM THE STATE DEPARTMENT OF HEALTH, ALCOHOL AND DRUG ABUSE DIVISION FOR THE WORKHAWAII DIVISION AND TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE DEPARTMENT OF HEALTH, ALCOHOL AND DRUG ABUSE DIVISION FOR SAID FUNDS.

The following amendment was handcarried to the meeting:

Resolution 16-12, Proposed FD1

Councilmember Kobayashi moved that Committee Report 16 and Resolution 16-12 be adopted. Seconded by Councilmember Manahan.

Councilmember Kobayashi moved that the Resolution be amended to the handcarried FD1. Seconded by Councilmember Manahan. The amendment attaches the Department's grant application to the Resolution. She urged the Administration to provide the Council with copies of these grant applications prior to posting of the Budget Committee agenda in order to give members sufficient time to review the documents.

There was no public testimony.

Resolution 16-12 was amended to FD1.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

Council Rule 19.E relating to 48-hour notice was waived.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

Committee Report 16 and Resolution 16-12, FD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-13 – COMMITTEE REPORT 17

RESOLUTION AUTHORIZING THE EXTENSION OF A LEASE OF CITY PROPERTY TO KANEOHE MELI PARTNERSHIP LP FOR THE KANEOHE ELDERLY APARTMENTS PROJECT UNDER SECTION 28-3.4, REVISED ORDINANCES OF HONOLULU.

Councilmember Kobayashi moved that Committee Report 17 and Resolution 16-13 be adopted. Seconded by Councilmember Manahan.

There was no public testimony.

Committee Report 17 and Resolution 16-13 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

ADOPTION

RESOLUTION 16-6 – COMMITTEE REPORT 22

RESOLUTION AMENDING RESOLUTION 15-277, CD1, BY AMENDING UNIT AFFORDABILITY THRESHOLDS AND AFFORDABLE UNIT TYPES, AND MAKING OTHER MISCELLANEOUS CHANGES FOR THE KAPIOLANI RESIDENCE AFFORDABLE AND MARKET RATE CONDOMINIUM PROJECT AT HONOLULU, OAHU, HAWAII, TAX MAP KEYS (1) 2-3-041:009 AND (1) 2-3-041:006.

Councilmember Anderson moved that Committee Report 22 and Resolution 16-6 be adopted. Seconded by Councilmember Ozawa.

There was no public testimony.

Councilmember Elefante spoke in general support of Resolution 16-6; however expressed a concern that there will be no park dedication for the project, and that 174 of the 292 of the units will be in the 120 percent of the median category.

Councilmember Ozawa urged councilmembers to join him in supporting Resolution 16-6. He stated that the project will provide a diversity of residents in the area. He explained that there is no room for a park on the property; however, Ala Moana Beach Park, one of the largest parks on Oahu, is located nearby. He applauded the Applicant's efforts to deliver a high-quality affordable housing project.

Councilmember Anderson clarified that Resolution 16-6 does not change the number of affordable units (292) proposed in the original measure (Resolution 15-277, CD1). He noted that while concerns have been raised that there will be a change in the number of each type of unit, the project will provide much-needed affordable housing in an area in close proximity to transit-oriented development. He urged councilmembers to support the project.

Committee Report 22 and Resolution 16-6 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

Related communication:

M-119 Lowell Chun, SamKoo Pacific, LLC

ADOPTION

RESOLUTION 16-11, CD1 – COMMITTEE REPORT 23

RESOLUTION AUTHORIZING EXEMPTIONS FROM CERTAIN REQUIREMENTS
RELATING TO THE KAPOLEI MIXED-USE AFFORDABLE AND MARKET RATE
HOUSING PROJECT AT KAPOLEI, OAHU, HAWAII, TAX MAP KEY (1) 9-1-088:021.

Councilmember Anderson moved that Committee Report 23 and Resolution 16-11, CD1 be adopted. Seconded by Councilmember Fukunaga.

There was no public testimony.

RECESS/RECONVENE

At 2:31 p.m., the Chair called for a short recess and reconvened the meeting at 2:32 p.m.

In response to Councilmember Pine, Deputy Director Art Challacombe, Department of Planning and Permitting, stated that he believes the height limit will be 130 feet and not 150 feet.

In response to Councilmember Pine, Franco Mola, Coastal Rim Properties Inc., clarified that the height limit is 130 feet, but that the Developer would like some flexibility in the height limit in order to accommodate the parking structure which will be under 150 feet.

RECESS/RECONVENE

At 2:36 p.m., the Chair called for a short recess and reconvened the meeting at 2:46 p.m.

Councilmember Pine stated she will be voting with reservations and that she will work with the Hawaii Housing Finance & Development Corporation (HHFDC) and the Developer to resolve the discrepancy in the height limit.

Councilmember Ozawa spoke in opposition to Resolution 16-11, CD1. He supports the affordable housing the project will produce; however, he expressed concerns that it is the second time the Developer has brought an ill-conceived application with incomplete information and has not met with councilmembers to fully discuss the project.

Chair Martin stated that he would be joining Councilmember Ozawa in opposition to Resolution 16-11, CD1 because of some of the same concerns. He noted that it is the second instance in which the Developer has not been fully prepared to address the questions raised by councilmembers, nor has he complied with existing protocols to meet with members of the Zoning and Planning Committee and the councilmember of the district to discuss the project. He expressed disappointment that only after concerns were raised in Committee did the Applicant offer to meet with his office. He advised the Developer that he will face a very difficult time in moving any future projects forward unless he complies with general protocols normally followed and is fully prepared to answer questions raised by councilmembers.

In response to Councilmember Manahan, Councilmember Anderson explained that any proposed changes would have to be worked out between the Council, the Applicant and the HHFDC, and would require City Council approval via a resolution.

Councilmember Fukunaga stated that she would be voting with reservations. She expressed concern over expediting approvals of these requests for exemptions before community issues have been fully addressed.

Committee Report 23 and Resolution 16-11, CD1 were adopted.

AYES: ANDERSON, ELEFANTE*, FUKUNAGA*, KOBAYASHI, MANAHAN*,
 MENOR*, PINE* – 7.
NOES: OZAWA, MARTIN – 2.

*Councilmembers Elefante, Fukunaga, Manahan, Menor, and Pine voted aye with reservations.

ADOPTION

RESOLUTION 16-5, CD1 – COMMITTEE REPORT 26

RESOLUTION AUTHORIZING THE DIRECTOR OF TRANSPORTATION SERVICES OR THE DIRECTOR'S DESIGNEE TO APPLY FOR, AND ACCEPT AND EXPEND, FEDERAL HIGHWAY ADMINISTRATION FUNDS AUTHORIZED BY 23 CFR PART 630 AND OTHER FEDERAL STATUTES ADMINISTERED BY THE FEDERAL HIGHWAY ADMINISTRATION FOR BRIDGE INSPECTION AND APPRAISAL.

Councilmember Manahan moved that Committee Report 26 and Resolution 16-5, CD1 be adopted. Seconded by Councilmember Kobayashi.

There was no public testimony.

Committee Report 26 and Resolution 16-5, CD1 were adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

BALANCE OF COMMITTEE REPORTS

ZPCR-20 Bill 22 (2015) – Amending The Land Use Ordinance,
relating to regulation of certain visitor accommodations.
Granting a 120-day extension of time. (Deadline: 1/29/16 +
120 days)

ZPCR-21 Bill 79 (2015) – Amending The Land Use Ordinance.
Granting a 120-day extension of time. (Deadline: 2/15/16 +
120 days)

Councilmember Anderson moved that the Balance of Committee Reports, as listed above,
be adopted. Seconded by Councilmember Menor.

The following individual testified on ZPCR-20:

Joli Tokusato, UNITE HERE Local 5 (M-166) (Support)

The Balance of Committee Reports was adopted.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.
NOES: None.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

APPROVAL

COMMUNICATION D-811 (2015)

FROM THE DEPARTMENT OF DESIGN AND CONSTRUCTION, REQUESTING CONSIDERATION OF DEED CONVEYING ROADWAY LOTS 8030 TO 8034, INCLUSIVE; DEED CONVEYING ROADWAY LOT 8292; GRANT OF DRAIN EASEMENTS 3772 (POR), 3773 AND 3774; GRANT OF DRAIN EASEMENT 3772 (POR); GRANT OF DRAIN EASEMENTS 1356 AND 1358; GRANT OF DRAIN EASEMENT 1357; AND GRANT OF TEMPORARY ACCESS EASEMENT 8265 (KAPOLEI BUSINESS PARK SUBDIVISION).

Communication D-811 (2015) was waived to the Council floor by the Chair of the Public Works, Infrastructure and Sustainability Committee

Councilmember Anderson moved that Communication D-811 (2015) be approved. Seconded by Councilmember Menor.

There was no public testimony.

Communication D-811 (2015) was approved.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR, OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

CC-4 Councilmember Carol Fukunaga

APPROVAL

COMMUNICATION D-816 (2015)

FROM THE DEPARTMENT OF DESIGN AND CONSTRUCTION, REQUESTING CONSIDERATION OF DEED CONVEYING ROADWAY LOTS 15933, 15934, 15935, AND 15936; AND GRANT OF SEWER EASEMENTS 8374, 8377 AND 8378 (OCEAN POINTE SUBDIVISION AREA III A).

Communication D-816 (2015) was waived to the Council floor by the Chair of the Public Works, Infrastructure and Sustainability Committee

Councilmember Anderson moved that Communication D-816 (2015) be approved. Seconded by Councilmember Menor.

There was no public testimony.

Communication D-816 (2015) was approved.

AYES: ANDERSON, ELEFANTE, FUKUNAGA, KOBAYASHI, MANAHAN, MENOR,
 OZAWA, PINE, MARTIN – 9.

NOES: None.

Related communication:

CC-5 Councilmember Carol Fukunaga

COMMITTEE OF THE WHOLE/EXECUTIVE SESSION

There was no Executive Session.

ANNOUNCEMENTS

Councilmember Ozawa wished Councilmember Manahan an early Happy Birthday (January 31).

Chair Martin announced that the February 17, 2016 Council meeting will be held at Kapolei Hale.

ADJOURNMENT

At 2:56 p.m., Councilmember Anderson moved that the Council stand adjourned until Wednesday, February 17, 2016, at 10 a.m. at Kapolei Hale. Seconded by Councilmember Menor and there being no objections from the 9 members present, it was so ordered by the Chair.

Respectfully submitted,



GLEN I. TAKAHASHI
City Clerk

po/vc

DATE APPROVED:

February 17, 2016